

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 5, 1999, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Rowe Commissioner

Commissioners Feland and Anderson were absent but left their votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(148) In the matter of SPRINT COMMUNICATIONS COMPANY – Docket N99.3.70; On March 22, 1999, Sprint filed tariff pages to make language changes to Sprint Sense Residential Toll Free and to introduce Sprint Business Flex SDS Toll Free Language. Commissioner McCaffree moved to approve the tariff filing. Commissioner Rowe seconded the motion, which passed unanimously. Commissioners Feland and Anderson voted aye.

(149) In the matter of SPRINT COMMUNICATIONS COMPANY – Docket N99.3.59; On March 16, 1999, Sprint Communications filed changes to its Montana PSC Price List No. 1. The purpose of the filing is to change the minimum billing increment for Business Sense customers from 18 seconds to 30 seconds. Commissioner McCaffree moved to approve the changed to Sprint's Price List No. 1. Commissioner Rowe seconded the motion, which passed unanimously. Commissioners Feland and Anderson voted aye.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(150) In the matter of TN1979 - Fred M. Zweifel dba Circle Z Enterprises, Virginia City, Montana requests permission to further suspend PSC No. 9270 from March 15, 1999 to May 22, 1999.

Class B - Passengers within the City of Virginia City and a two mile radius thereof.

Commissioner McCaffree moved to grant the further suspension of PSC No. 9270. Commissioner Rowe seconded the motion, which passed unanimously. Commissioners Feland and Anderson voted aye.

Minutes.....April 5, 1999

10:00 a.m.

64

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 6, 1999 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was absent but left his votes with the Commission Secretary.

APPEARANCE

Denise Peterson, Will Rosquist

(151) In the matter of the Commission's discussion of Montana Power Company's USBV Administration Plan – Docket No. D97.7.90; Commissioner Rowe moved to issue a Notice of Opportunity to Respond / Comment on USBC. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Martin Jacobson

(152) In the matter of the Commission's discussion of MPC's Gas Tracker – Docket No. D98.10.217; Commissioner Feland moved to direct staff to draft a final order adopting the two interim orders. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Martin Jacobson, Jay Driscoll

(153) In the matter of the Commission's discussion of Nemont and Triangle's intraLATA Dialing Parity Plans – Docket Nos. D98.10.228 and D98.10.235; Commissioner Feland moved to approve the parity plans subject to 5 conditions. Staff is directed to prepare a final order for the Commission's review. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Robin McHugh, Kate Whitney

(154) In the matter of the Commission's discussion of Customer Carpets, Inc. – Complaint; Commissioner Rowe moved to issue a Notice of Complaint. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Martin Jacobson, Denise Peterson, Leroy Beeby

(154) In the matter of the Commission's discussion of Fairmont Hot Springs – Docket No. D99.4.86; Commissioner Rowe moved to issue an Order Compelling Compliance with Title 60 Compliance. Commissioner McCaffree seconded the motion, which passed 4-0. Commissioner

Minutes.....April 6, 1999 9:00 a.m.

66

Anderson was not present for this additional work session item.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 12, 1999, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner

Commissioner Rowe was in Washington, D.C., but left his votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(155) In the matter of ENERGY WEST INC. N99.3.64; On March 18, 1999, Energy West Montana (Energy West), filed an application to correct tariff language in their Special Service and Negotiated Contract tariffs. These changes stem from mistakes on the proposed tariffs in D98.3.68, Energy West's application to offer open access on its system. Two changes are proposed. First, Energy West proposes to correct the definition of, and the tariffed rate for, damaged meters. Energy West maintains that they did not intend to change the rate or language in this tariff and would like to reinstate the previous rate and definition. Second, Energy West proposes to remove obsolete language in their Negotiated Contract service. The language refers to the marginal cost of gas; however, the NCS tariff is now used for transportation customers who purchase their own gas directly from suppliers. Commissioner Anderson moved to approve the tariff corrections. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(156) In the matter of SPRINT COMMUNICATIONS COMPANY – Docket N99.3.75; On March 26, 1999, Sprint filed price list changes to change the Cancellation for Cause text; Add the Sprint Sense AnyTime FONCAR text previously omitted; grandfather optional FONCARD rate with MRC Waiver and Short Calls Waiver; Introduce Sprint PCS/Sprint Long Distance Option; and Change the per minute usage rates applicable to in-state calls made when Sprint participates in an agreement with a LEC to provide FONCARD Service offered in conjunction with a LEC Calling Card. Commissioner McCaffree moved to approve the price list changes. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(157) In the matter of T-99.5.RI; On March 2, 1999 Helena Unlimited, Inc. d.b.a. Last Chance Tours, Helena, Montana made application for increased rates and charges in Passenger Tariff No. 6, applying on the transportation of persons, Class A, in the city of Helena, Montana. These increases are as follows:

	FROM	TO
Adult Fare	\$ 4.50	\$ 5.00
Child Fare	\$ 3.50	\$ 4.00
Senior Citizen Fare	\$ 4.00	\$ 4.50
Student Fare (with school group)	\$ 2.00	\$ 3.00

On March 10, 1999 the rate increase request was noticed to the public and no protests were received.

Commissioner Anderson moved to approve the rate increases. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(158) In the matter of TN1980; Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana requests permission to continue the lease of PSC No. 9404 to Janie McNair dba Snappy Cab, Libby, Montana for a one year period, April 5, 1999 to April 5, 2000.

Class B - Non-emergency medical and psychiatric patients to and from medical appointments at health care facilities within the following counties: Flathead, Lake, Lincoln, Missoula, and Sanders. Limitations: Transportation must originate or terminate in Lincoln County.

Class B - Passengers, baggage and express between all points and places in Libby, Montana and a thirty (30) mile radius thereof. Limitations: 1) Transportation of railway crews is prohibited. 2) Transportation by limousine is prohibited.

Commissioner McCaffree moved to approve the continuation of the lease. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 13, 1999 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner

Commissioner Rowe was in Washington, D.C., but left his votes with the Commission Secretary.

APPEARANCE

Denise Peterson

(159) In the matter of the Commission's discussion of Montana Power Company's request for PUHCA determination of EWG status – Docket No. D99.4.82; Commissioner Anderson moved to issue the drafted Notice of Comment. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(160) In the matter of the Commission's discussion of Havre Pipeline Company - Rate Case - Docket No. D98.6.127; Commissioner Feland moved to deny the objections of Havre Pipeline Company to data requests of Montana Power Trading and Marketing and Black Hills Exploration and Production. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Feland who voted him aye.

APPEARANCE

Martin Jacobson, Kate Whitney

(161) In the matter of the Commission's discussion of PSC v USWC - Implementation of Measured Service - Docket No. D97.7.116; Commissioner Anderson moved to direct staff to draft an amended complaint considering recent information and directed staff to draft an order directing USWC to file an Education Plan to the Public Service Commission for approval. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner McCaffree who voted him aye.

APPEARANCE

Martin Jacobson, David Burchett

(162) In the matter of the Commission's discussion of Shelby Gas Association - Rate Case – Intervention Request by Commercial Energy - Docket No. D99.2.53; Commissioner Feland moved to direct staff to draft an interim approval in the rate case and return to the Commission with the draft order and further moved to permit staff to require Commercial Energy to show why they have standing in the case. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Feland who voted him aye. Commissioner Anderson then moved to table the motion. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Feland who voted him aye.

APPEARANCE

Jay Driscoll

(163) In the matter of the Commission's discussion of Lincoln Telephone Company - Implementation of intraLATA Equal Access - Motion to amend dialing parity schedule - Docket No. D98.10.226; Commissioner Anderson moved to grant the requests to implement equal access one month earlier than initially scheduled and approved Lincolns request to implement dialing parity on May 16, 1999 with an effective date of April 16, 1999 and to subsequently waive rules ARM 38.5.4104(1) and ARM 38.5.4116(1)(e).

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, April 19, 1999, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator
Utility Division

(164) In the matter of U S WEST COMMUNICATION – Docket N99.4.85; On April 1, 1999 U S WEST filed Tariff Transmittal 99-21 to remove the temporary Nonrecurring Change charge and reinstate the original tariffed charge of \$30.10. This tariff filing removes the temporary non-recurring change charge rate language resulting from the PAL portion of the order in Docket D96.12.220, Order No. 5965d. The order established a \$5.00 change charge effective from January 20, 1999 through March 20, 1999 for existing PAL customers to change between types of PAL service- from measured to flat. Commissioner Rowe moved to approve the tariff. Commissioner McCaffree seconded the motion, which passed unanimously.

(165) In the matter of CENTRAL MONTANA COMMUNICATIONS, INC. – N99.4.87; On April 5, 1999, Central Montana Communications, Inc. filed the following tariff revisions: Section 4 - Local Network Access Line Service, the Monthly Recurring Charge for Business Trunk Hunt will be reduced from \$8.00 to \$7.00; and Section 17 – Directory Listings, the Monthly Recurring Rates will also be reduced for, Residential Additional Listings, Residential/Business Foreign Listings, Non-Listed Number, Non-Published Number, and Residential/Business Reserved Number. Commissioner McCaffree moved to approve the tariff revisions. Commissioner Rowe seconded the motion, which passed unanimously.

(166) In the matter of WORLDCOM TECHNOLOGIES, INC. – Docket N99.4.90; On April 6, 1999, WorldCom Technologies filed Transmittal Letter No. 99-01 to set apart Business and Residential Directory Assistance usage charges and increase the usage charge for Business Directory Assistance from \$.72 to \$1.40. Commissioner Rowe moved to approve the transmittal letter. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(167) In the matter of TN1981; Tavern Express, Inc., Miles City, Montana requests cancellation of PSC No. 9399, effective immediately.

Class B -- passengers between all points and places in Miles City, Montana, and a ten mile radius thereof, limited to the hours of 12:00 midnight and 4:00 a.m. daily, vehicle capacity of eight passengers or less, operations in limousine service prohibited, member taverns (taverns

contributing to the formation or continued maintenance of Tavern Express, Inc.) if implementing a practice of paying the fee for ridership of tavern patrons shall make every reasonable effort to use and pay the fee for ridership of tavern patrons on other common carriers authorized to transport passengers in the service area, on similar terms, when vehicles of Tavern Express, Inc., are not available to meet the convenience of patrons.

Commissioner McCaffree moved to approve the immediate cancellation of PSC No. 9399. Commissioner Feland seconded the motion, which passed unanimously.

(168) In the matter of T-99.7.RI; On March 10, 1999 Anaconda Chamber of Commerce, Anaconda, Montana made application for increased rates and charges in Passenger Tariff No. 1, applying on the transportation of passengers within the city of Anaconda, Montana, and a twenty (20) mile radius thereof, with the limitation that service is limited to that annual service between June 14 and September 12. This increase request covers adult fares only, with those fares increasing from \$3.00 to \$4.00.

On March 11, 1999 the rate increase request was noticed to the public and no protests were received.

Commissioner McCaffree moved to approve the application for rate increase. Commissioner Feland seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 20, 1999 the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent, but left votes with the Commission Secretary.

APPEARANCE

Denise Peterson, Will Rosquist

(169) In the matter of the Commission's discussion of Montana Power Company's USBC – Docket No. D97.7.90; Commissioner Rowe moved to allow MPCs request to extend until Friday, April 23rd, at 5:00 p.m. to respond. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner McCaffree left her proxy to Commissioner Rowe who voted her aye.

APPEARANCE

Kate Whitney, Wendy Fuller

(170) In the matter of the Commission's discussion of US West Communications, Inc. Residential and Business Winback Tariffs – Docket No. N99.3.60 and N99.3.61; Commissioner Anderson moved to approve the Winback Tariffs in both dockets. Commissioner Feland seconded the motion, which passed 4-1. Commissioners Fisher, Anderson, Rowe and Feland voted aye. Commissioner McCaffree dissented.

APPEARANCE

Jay Driscoll

(171) In the matter of the Commission's discussion of Blackfoot Telephone, Clark Fork Telephone, Mid-Rivers Telephone and Northern Telephone intraLATA Equal Access Plans; Commissioner Rowe moved to grant the waivers to Northern and Mid Rivers and grant the gradual implementation of the plans. Waivers are: Northern 38.5.4103(2)(a); 38.5.4105(2); 38.5.4120(3) and Mid Rivers 38.5.4103(2)(a); 38.5.4105(2). Commissioner Anderson seconded the motion, which passed unanimously. Commissioner McCaffree left her proxy to Commissioner Rowe who voted her aye.

APPEARANCE

Robin McHugh, Rhonda Simmons

(172) In the matter of the Commission's discussion of Blue Book Revisions; Commissioner Feland moved to approve the Blue Book. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

APPEARANCE

Robin McHugh, Jay Driscoll, Mike Lee

(173) In the matter of the Commission's discussion of US West Communications, Inc. v PSC (Dialing Parity - Federal Court); Commissioner Anderson moved to close the remainder of the work session. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner McCaffree left her proxy to Chairman Fisher, who voted her aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)